

STAT

~~XXXXXX~~

ACTION

OCA 87-0113

OFFICE OF CONGRESSIONAL AFFAIRS

Routing Slip

	ACTION	INFO
1. D/OCA		X
2. DD/Legislation	X	
3. DD/Senate Affairs		X
4. Ch/Senate Affairs		
5. DD/House Affairs		X
6. Ch/House Affairs		
7. Admin Officer		
8. Executive Officer		X
9. FOIA Officer		
10. Constituent Inquiries Officer		
11.		
12.		

SUSPENSE

MAR 2 87

Date

Action Officer:

Remarks:

ACTION
Completed per TELECON ON 2/MAR 87

FEB 24 87

Name/Date

STAT

STAT

~~SECRET~~

ACTION

OCA 87-0223

OFFICE OF CONGRESSIONAL AFFAIRS

Routing Slip

	ACTION	INFO
1. D/OCA		
2. DD/Legislation	X	
3. DD/Senate Affairs		X
4. Ch/Senate Affairs		
5. DD/House Affairs		X
6. Ch/House Affairs		
7. Admin Officer		
8. Executive Officer		X
9. FOIA Officer		
10. Constituent Inquiries Officer		
11.		
12.		

SUSPENSE

MAR 2 87

Date

Action Officer:

Remarks:

STAT

FEB 24 87

Name/Date

STAT



**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503**

February 19, 1987

LEGISLATIVE REFERRAL MEMORANDUM

SPECIAL
TO:

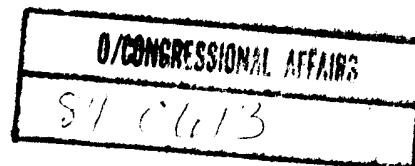
OCA FILE

SPECIAL

RECPT #

Legislative Liaison Officer

SEE ATTACHED DISTRIBUTION LIST



SUBJECT: Department of Commerce draft bill authorizing appropriations for the National Bureau of Standards -- Section 6, relating to standards development for computer security.

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than

FEBRUARY 25, 1987

Questions should be referred to Constance J. Bowers (395-3457), the legislative analyst in this office.


James C. Murr for
Assistant Director for
Legislative Reference

Enclosures

cc: Ed Springer John Cooney
 Arnold Donahue Greg Henry
 Kevin Scheid Carol Ballew

DISTRIBUTION LIST

<u>AGENCY</u>	<u>CONTACT</u>	<u>PHONE NUMBER</u>
Department of Defense (06)	Sam Brick	697-1305
Department of Energy (09)	Bob Rabben	252-6718
Department of Health and Human Services (14)	Frances White	245-7750
Department of Justice (17)	Jack Perkins	633-2113
Department of State (25)	Lee Howdershell	647-4463
Department of the Treasury (28)	Carole Toth	566-8523
Office of Personnel Management (22)	James Woodruff	632-5524
General Services Administration		
National Security Council		
Central Intelligence Agency		



THE SECRETARY OF COMMERCE
Washington, D.C. 20230

Honorable George Bush
President of the Senate
Washington, D.C. 20510

Dear Mr. President:

Enclosed are six copies of a draft bill --

"To authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal years 1988, and 1989, and for other purposes."

We have been advised by the Office of Management and Budget that there is no objection to the submission of this legislative proposal to the Congress, and that its enactment would be in accord with the program of the President.

Sincerely,

Secretary of Commerce

Enclosures



THE SECRETARY OF COMMERCE
Washington, D.C. 20230

Honorable Jim Wright
Speaker of the House of
Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

Enclosed are six copies of a draft bill --

"To authorize appropriations to the Secretary of Commerce
for the programs of the National Bureau of Standards for
fiscal years 1988, and 1989, and for other purposes."

We have been advised by the Office of Management and Budget that
there is no objection to the submission of this legislative
proposal to the Congress, and that its enactment would be in
accord with the program of the President.

Sincerely,

Secretary of Commerce

Enclosures

A BILL

To authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal years 1988 and 1989, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Bureau of Standards Authorization Act for Fiscal Years 1988 and 1989."

AUTHORIZATION FOR PROGRAM ACTIVITIES

Sec. 2. There are authorized to be appropriated to the Secretary of Commerce, hereinafter referred to as the Secretary, to carry out activities performed by the National Bureau of Standards the sums set forth in the following line items:

(a) Measurement Research and Standards, \$43,196,000 for fiscal year 1988 and such sums as are necessary for fiscal year 1989;

(b) Materials Science and Engineering, \$ 24,557,000 for fiscal year 1988 and such sums as are necessary for fiscal year 1989;

(c) Engineering Measurements and Standards, \$35,347,000 for fiscal year 1988 and such sums as are necessary for fiscal year 1989;

(d) Computer Science and Technology, \$8,266,000 for fiscal year 1988 and such sums as are necessary for fiscal year 1989;

(e) Research Support Activities, \$27,259,000 for fiscal year 1988 and such sums as are necessary for fiscal year 1989;

OFFICE OF PRODUCTIVITY, TECHNOLOGY AND INNOVATION

Sec. 3. In addition to the sums authorized to be appropriated by section 2 of this Act, there is authorized to be appropriated to the Secretary, \$2,218,000 for fiscal year 1988 and such sums as may be necessary for fiscal year 1989 for the activities of the Office of Productivity, Technology, and Innovation.

SALARY ADJUSTMENTS

Sec. 4. In addition to the sums authorized to be appropriated by Sections 2 and 3 of this Act, there are authorized to be appropriated to the Secretary for fiscal years 1988 and 1989 such additional sums as may be necessary to make any adjustments in salary, pay, retirement, and other employee benefits which may be provided for by law.

AVAILABILITY OF APPROPRIATIONS

Sec. 5. Appropriations made under the authority provided in this Act shall remain available for obligation, for expenditure, or for obligation and expenditure for periods specified in the Act making such appropriations.

COMPUTER SCIENCE AND TECHNOLOGY

Sec. 6.(a) Section 2 of the Act of March 3, 1901 as amended (15 U.S.C. 272), is further amended by inserting the following new paragraph: "(17) perform research to develop standards and test methods to advance the effective use of computers and related systems and to protect the information stored, processed and transmitted by those systems;".

(b) Section 2 of the Act of March 3, 1901 as amended (15 U.S.C. 272) is further amended by redesignating existing paragraphs 17 through 19 as paragraphs 18 through 20, respectively.

CONTRIBUTIONS

Sec. 7. The National Bureau of Standards is authorized to accept contributions of funds, to remain available until expended, from any public or private source to construct a facility for cold neutron research on materials, notwithstanding the limitations contained in 15 U.S.C. 278d.

NATIONAL TECHNICAL INFORMATION SERVICE

Sec. 8. Section 2 of the Act of September 9, 1950, c. 936, 64 Stat. 823 (15 U.S.C. § 1152) is amended by inserting after the word "reproductions" in subsection (b) thereof the words "without regard to section 501 of title 44, United States Code."

STATEMENT OF PURPOSE AND NEED

This bill authorizes appropriations for FY88 and FY89 for the National Bureau of Standards and the Office of Productivity, Technology, and Innovation, clarifies NBS's authority to receive private contributions for its Cold Neutron Research Facility and conduct research relating to computers, and exempts the National Technical Information Service or its agents from 44 U.S.C. 501.

The National Bureau of Standards (NBS), the nation's oldest national laboratory, remains the primary Federal agency dedicated to measurement science and standards. Created by the Act on March 3, 1901 (Pub. L. 56-177, 15 U.S.C. 271-278h), NBS is charged to develop a basic measurement foundation for U.S. industry, science, and government. This it does, by creating and disseminating accurate methods of measurement, evaluated technical data and standards, and guidance on using these measurement tools.

Accurate, standardized measurement methods and data are essential to the quality and cost competitiveness of American industry. They are equally vital in all segments of the industrial economy from new technologies such as advanced ceramics, cryoelectronics, optoelectronics and biotechnology to more familiar fields such as communications, steel, and chemicals. They can shorten the time between laboratory success and profitable product introduction.

NBS'primary activities include developing calibrations, standard reference materials, and standard reference data. In addition to providing this information to American industry and the standards community, NBS promotes agreement on international codes and standards, supports state weights and measurement programs, and makes special facilities and test beds available for private use. NBS and the Office of Productivity, Technology, and Innovation also promote technology transfer through publications, workshops and conferences.

Public Law No. 99-574 dated October 16, 1986 authorized appropriations to the Secretary of Commerce for fiscal year 1986 for all NBS'activities and operations, including those performed under NBS'original authorizing legislation of 1901 and other statutes such as the Standard Reference Data Act (Pub. L. No. 90-396, as amended; 15 U.S.C. 290-290f). It also authorized appropriations for fiscal year 1987 for activities of the Assistant Secretary of Commerce for Productivity, Technology and Innovation (OPTI).

Public Law No. 99-574 expires on September 30, 1987. This proposed legislation would extend authorization of appropriations for the programs and activities of NBS and OPTI through FY88 and FY89.

SECTION-BY-SECTION ANALYSIS

Section 1 provides that this bill may be cited as the "National Bureau of Standards Authorization Act for Fiscal Years 1988 and 1989."

Section 2 authorizes appropriations to the Secretary of Commerce for the activities of the National Bureau of Standards (NBS).

Subsection (a) authorizes \$43,196,000 for fiscal year 1988 and such sums as are necessary for fiscal year 1989 for Measurement Research and Standards. Research in physics, radiation, analytical chemistry, and chemical properties and processes produces fundamental measurement knowledge which enables industry and science to achieve levels of accuracy and compatibility that they require in the laboratory, during production, and in buying and selling. For example, very precise measurement of the speed of light and laser frequencies has allowed NBS to tie all measurements of time, frequency and length to a single, very precise standard. The new definition allows the radiation from recommended stabilized lasers to be used for dimensional measurements in the user's own facility, thus improving process quality and enhancing productivity.

Subsection (b) authorizes \$24,557,000 for fiscal year 1988 and such sums as are necessary for fiscal year 1989 for Materials Science and Engineering. Research in materials characterization, nondestructive evaluation, metallurgy, metals processing, polymers, and ceramics produces organized data and technical know-how which permit more rapid industrial adoption of new materials that contribute to improved productivity and competitiveness. For example, NBS is developing measurement techniques, data, theory and predictive models related to the rapid solidification of metal powders thus removing roadblocks to the application of these materials in high-speed machine tools, engines for aircraft, and turbines for power generation.

Subsection (c) authorizes \$35,347,000 for fiscal year 1988 and such sums as are necessary for fiscal year 1989 for Engineering Measurements and Standards. Research in electronic and electrical measurements, chemical engineering, manufacturing engineering, mathematical sciences, construction and performance of buildings and fire prevention produces engineering knowledge and databases for design, development, prediction and control of industrial processes. Objectives of research are improved quality assurance and efficiency of manufacturing processes and include the prediction of the effects of changes in the process, its materials and interfaces. For example, the quality assurance focus in industry is driving NBS' Automated Manufacturing Research

Facility, where a multimillion dollar cooperative effort with numerous industrial and academic partners has resulted in new concepts of the human-machine interaction in the machining process.

Subsection (d) authorizes \$8,266,000 for fiscal year 1988 and such sums as are necessary for fiscal year 1989 for Computer Science and Technology. Research in computer science and engineering establishes government-wide automated data processing (ADP) standards and provides technical support for the development of national and international voluntary industry standards which lead to more productive use of computers and networks, and to maintenance of the competitive posture of the U.S. computer industry. For example, NBS, in cooperation with computer manufacturers and users, is developing standards and test methods for the integration of hardware, software, and network systems, the interchange of data between systems, and data security.

Subsection (e) authorizes \$27,259,000 for fiscal year 1988 and such sums as are necessary for fiscal year 1989 for Research Support Activities. This subactivity groups centrally managed programs that provide support to all other NBS programs. This support includes developing technical competence in NBS mission oriented areas of research and services, providing scientists and engineers from industry and universities the opportunity to participate in the Research Associate program, providing computing support to NBS programs, maintaining a satisfactory facilities environment for conducting the NBS technical programs, constructing a cold neutron research facility for advanced materials research and formulating and implementing product standards policy and guidelines related to international standardization and legal metrology.

These items include NBS' activities authorized by NBS' original authorization of 1901 and by other statutes, such as the Standard Reference Data Act.

Section 3 authorizes an appropriation to the Secretary of Commerce of \$2,218,000 for fiscal year 1988 and such sums as may be necessary for fiscal year 1989 for the activities of the Office of Productivity, Technology and Innovation (OPTI). The Administration proposes to reduce OPTI's activities during fiscal year 1988. This authorization includes funds for a reduced staff and for phase down activities. OPTI will continue to advise the Secretary, the Under Secretary, and other government officials on matters of policy regarding productivity, technology, and innovation.

Section 4 authorizes the appropriation of such additional sums as may be necessary for fiscal years 1988 and 1989 to make any adjustments in salary, retirement, and other employee benefits which may be provided for by law.

Section 5 specifies that funds appropriated under this Act shall remain available for obligation, for expenditure, or for obligation and expenditure for the periods of times specified in appropriation acts. This section assures NBS and OPTI of the availability of appropriated funds for expenditure for its research programs and provides the necessary flexibility for NBS' administration of its scientific and engineering research programs.

Section 6 amends Section 2 of NBS' original authorizing legislation of 1901 by adding a new paragraph 17. The proposed new paragraph 17 of section 2 would clarify and reiterate authority to carry out responsibilities already assigned to NBS by Federal policy directives of a program of standards development and technical advisory services to Federal agencies for automatic data processing. The Federal government has become highly dependent on computers for many programs and services, and spends billions of dollars each year on computers. As technology and uses change, Federal government agencies will continue to depend upon NBS expertise to develop needed standards and provide timely technical advice.

Section 7 provides language which would allow NBS to accept and retain contributions of funds from the public and private sectors to be used to construct a Cold Neutron Research facility at the NBS Reactor. The Senate Committees on Appropriations and Commerce, Science and Transportation have encouraged NBS to seek contributions from the industrial sector and other Federal agencies for the proposed Cold Neutron Research facility. This language clarifies NBS' authority to retain any contributions, regardless of fiscal year, until needed as construction of the facility takes place. Similar language is contained in Section 104 of P.L. 99-500, the fiscal year 1987 Continuing Appropriations Act.

Section 8 provides the National Technical Information Service (NTIS) or its agents with authority to procure printing services from private vendors at the most cost-effective rate. Section 501 of title 44, United States Code requires NTIS to procure its printing through the Government Printing Office (GPO). The Department of Commerce plans to offer the private sector the opportunity to perform NTIS' functions, while retaining overall policy direction. This section is intended to free those who contract with NTIS from any requirement to use GPO for printing services.